

STATEMENT OF REASONS

Section 69(1)(a) of the *Environment Protection Act 2019* (EP Act)

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| Environmental approval holder | Secretary of the Department of Defence ABN 68 706 814 312 |
| Environmental approval number | EP2022/012 - 001 |
| Action | HMAS Coonawarra - Dredging and dredged material management |
| Action description | Capital dredging works comprising: <ul style="list-style-type: none"> • campaign one - up to 101,000m³ of dredge material • campaign two - up to 116,00m³ of dredge material, to occur 2-3 years after campaign one • ongoing maintenance dredging in the order of 10,000 to 15,000m³ every 5 to 7 years • marine discharge of dredged material via a pipe located about 300m southwest of the dredge area, and land-based disposal at East Arm Wharf ponds. |
| Material considered | Northern Territory Environment Protection Authority (NT EPA) advice received on 23 August 2023 <ul style="list-style-type: none"> • Assessment Report 103 • A draft environmental approval setting out the conditions that are recommended to apply • The submission received by the NT EPA on the draft environmental approval under the regulations • Written comments from the NT EPA on the submission. |
| Decision | In accordance with sections 69(1)(a) and 82(4)(a) of the EP Act, I accept the draft environmental approval, adopt the proposed conditions of the NT EPA and grant the approval. |

REASONS

This statement of reasons has been prepared in accordance with sections 82(3) and 82(4) of the EP Act.

Overview of Action

The Department of Defence proposes to carry out two capital dredging campaigns of approximately 100,000m³ to 120,000m³ as part of upgrades to the Royal Australian Navy wharf facilities and basin navigation area at HMAS Coonawarra, Larrakeyah, Darwin. A majority of the dredge spoil is fine sediment and would be discharged to Darwin Harbour via a pipe about 300m

southwest of the dredge footprint, while coarse rocky material would be transported to the East Arm Wharf ponds for land-based disposal. The proposed action includes ongoing maintenance dredging of 10,000m³ to 15,000m³ every 5 to 7 years.

Environmental context

The action is for dredging in Darwin Harbour, a recognised site of international conservation significance supporting a range of marine, estuarine, freshwater and terrestrial environments. The Darwin Harbour region is the Northern Territory's (NT) most densely populated area, supporting the largest concentration of commerce and industry in the NT. The harbour is biologically diverse, characterised by prominent stands of mangroves, intertidal flats, reef, seagrass and biota that supply important ecological services; and is highly valued for its environmental, cultural and recreational values.

Water quality monitoring in Darwin Harbour has found that the overall water quality is generally very good to excellent. There is large natural variability in some water quality parameters (e.g. salinity and turbidity) due to seasonal effects and large tides. Darwin Harbour naturally has high turbidity year round with wet season levels generally much higher than the dry season.

Matters considered under section 73 of EP Act

Section 73(1) Principles of environment protection and management

In considering Part 2 (Principles of environment protection and management) of the EP Act, I have considered the meaning of ecologically sustainable development (ESD) and applied each of the principles of ESD. I have reviewed the NT EPA's consideration of the principles of ESD as summarised in Assessment Report 103. I have considered and weighed all the principles of ESD in making my decision.

The NT EPA's assessment process has considered, and I have applied, approval conditions to mitigate environmental impacts associated with dredging. The assessment of the proposal, the NT EPA's advice to me, and consequently my decision, has been informed by the consultation process with communities that would potentially be affected by the proposal.

I have considered and applied the hierarchies for environmental decision-making and waste management. I have given particular consideration to the application of the environmental decision-making hierarchy, and proposed measures to avoid, and then mitigate and manage potential significant adverse environmental impacts.

I am satisfied that through compliance with the environmental approval, the action is consistent with the principles of environment protection and management including the ESD principles and management hierarchies.

Section 73(1)(a) Objects of the EP Act

I have had regard to the objects of the EP Act. I note in particular that through the environmental impact assessment of the action and the granting of the environmental approval, significant adverse impacts on the Territory environment are likely to be avoided and the protection and management of the environment is promoted.

The approval of the action will allow capital and maintenance dredging activity to occur in Darwin Harbour while maintaining environment protection, including protection of marine ecosystems, marine water quality and cultural heritage. I also note the opportunity provided to the community for involvement in the environmental impact assessment of the action.

Section 73(1)(b) Assessment report on the action

I have considered the advice of the NT EPA in its assessment report on the action (Assessment Report 103) which provides the NT EPA's assessment of the potential significant impacts of the action and recommendations for avoiding, mitigating and managing those impacts. The NT EPA identified that the action has the potential to have a significant impact on environmental values associated with three environmental factors, including marine environmental quality, marine ecosystems and culture and heritage.

The NT EPA recommended environmental approval be granted subject to implementation of the approval holder's commitments in the referral information and supplementary environmental report, and the recommended conditions in the draft environmental approval. Assessment Report 103 states that the action is likely to meet the NT EPA's environmental objectives and can be implemented and managed in a manner that is environmentally acceptable. The proposed conditions of the NT EPA have been adopted in the environmental approval.

Section 73(1)(c) Fit and proper person to hold environmental approval

I have had regard to whether the approval holder is a fit and proper person to hold an environmental approval, and consider that the approval holder is a fit and proper person to hold an environmental approval.

Section 73(1)(d) Any other matters the Minister considers relevant

I have not identified any other matters that are relevant to, or require my consideration, in deciding to grant environmental approval for the action.

Section 73(2) of the EP Act

Overall, having regard to the above, and the matters I considered, I am satisfied that:

- the community has been consulted on the potential environmental impacts and environmental benefits of the proposed action through public consultation on the referral information; and
- the significant impacts of the action have been appropriately avoided or mitigated or can be appropriately managed to acceptable levels through compliance with the environmental approval. The NT EPA's Assessment Report 103 supports this view.

No significant residual adverse impacts on the environment were identified that would require an environmental offset.



Signature

Hon Lauren Moss MLA

Minister for Environment, Climate Change and Water Security

DATE 4 / 9 / 2023